

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

TYLER HINES,

Plaintiff,

VS.

No. 21-1053-JDT-jay

BLUE CROSS BLUE SHIELD, ET AL.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION TO DISMISS CASE,
CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH
AND DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*

Plaintiff Tyler Hines, a resident of Brownsville, Tennessee, filed a *pro se* civil complaint accompanied by a two-page “short form” motion to proceed *in forma pauperis*. (ECF Nos. 1 & 2.) On April 13, 2021, U.S. Magistrate Judge Jon A. York issued an order directing Hines to submit, within 30 days, either the entire \$402 civil filing fee or the appropriate five-page non-prisoner *in forma pauperis* application. (ECF No. 6.) However, Hines did not comply with the order.

On August 2, 2021, Magistrate Judge York issued a Report and Recommendation (R&R) in which he recommended the complaint be dismissed for failure to prosecute. (ECF No. 10.) Objections to the R&R were due on or before August 19, 2021. *See* Fed. R. Civ. P. 72(b)(2); *see also* Fed. R. Civ. P. 6(d). However, Hines has filed no objections.

Because Hines has failed to comply with the Magistrate Judge's order or object to the recommendation of dismissal, the R&R is ADOPTED. This case is DISMISSED in its entirety for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a), that any appeal in this matter by Hines would not be taken in good faith. Leave to appeal *in forma pauperis* is, therefore, DENIED.

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE